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Please respond to: MILLBURN

February 13, 2017

Sent Via ECF

Hon. Vera M. Scanlon, U.S.M.J. United State District Court 225 Cadman Plaza East Brooklyn, NY 11201

Re: Nick Gordon v. City of New York et al 15-CV-02439 (CBA) (VMS)

Dear Judge Scanlon:

This firm represents defendants BHNWN 8th Street LLC; Behrooz Benyamini, Robert Ainehsazan and Elias Taeid (hereinafter collectively "BHNWN"). With the consent of all counsel, I am writing to either request an adjournment of the case management conference scheduled for February 15, 2017, or leave to appear telephonically.

My elder daughter (who attends the University of Vermont) was injured in a skiing accident, and my wife had to travel to Vermont as a result. She is not returning until Wednesday evening or Thursday, and I need to be available for my thirteen-year-old daughter as a result.

In addition, I had the flu all weekend. Although I am in the office on a limited basis today, I am still not eating solid food, and I am in a very weakened state. I do not know if my health will permit me to travel on Wednesday, and I wanted to alert Your Honor and counsel as soon as possible.

Most respectfully submitted,

THE FEINSILVER LAW GROUP, P.C.

By:

H. Jonathan Rubinstein

cc: All counsel, via ECF